

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION

**Amicus Miami of Ohio, LLC,**

**Plaintiff,**

**Case No. 2:22-cv-2320**

**v.**

**Judge Michael H. Watson**

**Heather Hoelzer Kacachos, et al.,**

**Magistrate Judge Jolson**

**Defendants.**

**OPINION AND ORDER**

In its Complaint, Plaintiff alleges that the Court has subject matter jurisdiction on the basis of diversity jurisdiction. Compl. ¶ 17, ECF No. 6. Defendants are citizens of Ohio, *id.* ¶ 20, so the Court could have diversity jurisdiction only if Plaintiff is a citizen of a state other than Ohio. See 28 U.S.C. § 1332.

Plaintiff alleges that it is a limited liability company. Compl. ¶ 13, ECF No. 6. “[A] limited liability company has the citizenship of each of its members.” *Delay v. Rosenthal Collins Grp., LLC*, 585 F.3d 1003, 1005 (6th Cir. 2009) (citations omitted). Thus:

When diversity jurisdiction is invoked in a case in which a limited liability company is a party, the court needs to know the citizenship of each member of the company. And because a member of a limited liability company may itself have multiple members—and thus may itself have multiple citizenships—the federal court needs to know the citizenship of each ‘sub-member’ as well. Indeed, if even one of [the LLC’s] members—or one member of a member—were a citizen of [the

same state as the plaintiff], then complete diversity, and with it federal jurisdiction, would be destroyed.

*Id.* (citations omitted).

Plaintiff has identified its sole member, but that member is itself a limited liability company: Amicus II Investment Holdings LLC. Compl. ¶ 14, ECF No. 6. Plaintiff does not allege the membership of Amicus II Investment Holdings LLC and, therefore, the Court cannot determine Plaintiff's citizenship.

Plaintiff is **ORDERED** to file within **THREE DAYS** a notice documenting the citizenship of Amicus II Investment Holdings LLC's members and any sub-members so that the Court can evaluate its jurisdiction.

**IT IS SO ORDERED.**

*/s/ Michael H. Watson*  
**MICHAEL H. WATSON, JUDGE**  
**UNITED STATES DISTRICT COURT**